

EXHIBIT C

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEJANDRO MANUEL ZAPATA OSORIO, ARTURO DEL
RAZO, BRAULIO ROLANDO CASHABAMBA CHANGO, BYRON
SALVADOR BARRERA SANCHEZ, CARLOS E. SIERRA
RODRIGUEZ, EDWIN FABRICIO CASHABAMBA TUBON,
JESUS SIERRA, JUAN SIERRA, RAMON ROSALES
GALVEZ, RAUL CHAVEZ DIAZ, SEGUNDO LEANDRO
ALULEMA GUANO, SEGUNDO NICOLAS SIGUENCIA
ENCALADA and WILDER RODRIGUEZ, Individually and
on behalf of others similarly situated,

Plaintiffs,

-against-

VECTOR STRUCTURAL PRESERVATION CORP. (D/B/A
VECTOR STRUCTURAL PRESERVATION), NORTH STAR
STRATEGY, INC (D/B/A NORTH STAR STRATEGY), BILL
HANDAKAS, VASSILIOS HANDAKAS, and SERGIO DOE,
Defendants,

-----X

September 13, 2021
3:32 p.m.

EXAMINATION BEFORE TRIAL VIA ZOOM
VIDEOCONFERENCE OF CARLOS E. SIERRA, a Plaintiff
herein, taken pursuant to Order, and held at the
above time and place before Ann Marie Governali, a
court reporter and Notary Public of the State of
New York.



1

2 A P P E A R A N C E S :

3 MICHAEL FAILLACE & ASSOCIATES

Attorneys for Plaintiff

4 60 East 42nd Street

Suite 4510

5 New York, New York 10165

6 BY: CLELA A. ERRINGTON, ESQ.

7

8

RABINOWITZ, GALINA & ROSEN

9 Attorneys for Defendants

94 Willis Avenue

10 Mineola, New York 11501

11 BY: GAYLE ROSEN, ESQ.

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ALSO PRESENT:

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Bill Handakas

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S T I P U L A T I O N S

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IT IS HEREBY STIPULATED, by and between
attorneys for the respective parties hereto, that:

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All rights provided by the C.P.L.R., and
Part 221 of the uniform Rules for the Conduct of
Depositions, including the right to object to any
question, except as to form, or to move to strike
any testimony at this examination is reserved. The
failure to object to any question or move to strike
any testimony at this examination shall not be a
waiver to make such motion at, and is reserved to
the trial of this action. This deposition may be
sworn to by the witness being examined before a
Notary Public but the failure to do so or to return
the original of this deposition to counsel, shall
not be deemed a waiver of the rights provided by
Rule 3116 of the C.P.L.R., and shall be controlled
thereby. The filing of the original of this
deposition is waived.

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IT IS FURTHER STIPULATED, that a copy of
this examination shall be furnished to the attorney
for the witness being examined.

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P R O C E E D I N G S

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THE REPORTER: The attorneys participating in this deposition acknowledge that I am not physically present in the deposition room and that I will be reporting this deposition remotely.

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They further acknowledge that, in lieu of an oath administered in person, I will administer the oath remotely.

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The parties and their counsel consent to this arrangement and waive any objections to this manner of reporting. Please indicate your agreement by stating it on the record.

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MS. ERRINGTON: I agree.

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MS. ROSEN: I agree.

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3 C A R L O S E. S I E R R A,

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Plaintiff, after having first been duly
sworn/affirmed by the Notary Public, was
examined and testified as follows:

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COURT REPORTER: Would you please
state your name, for the record.

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THE WITNESS: Carlos E. Sierra.

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COURT REPORTER: What is your
present home address?

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THE WITNESS: 8281 160th Street,
Jamaica, New York 11432.

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EXAMINATION BY

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MS. ROSEN:

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Q Good afternoon, Mr. Sierra. My name is
Gayle Rosen. I represent two of the defendants,
Vector and Vassilios Handakas in this matter.

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I'm here to ask you some questions and
get some information from you with respect to some
of your prior employment. I am not here to trick
or confuse you, so if you don't understand any
question, or you're not sure what I'm asking you,
please let me know that. If you answer, I'm going
to assume that you understood my question.

1 CARLOS E. SIERRA

2 You understand that?

3 A Yes.

4 Q Have you ever been deposed before? You
5 know, sat in this type of proceeding, whether on
6 Zoom or in person, and being asked questions?

7 A No.

8 Q A couple ground rules. The court
9 reporter can't take down, especially under these
10 circumstances, nods of the head, or hand gestures.
11 So all of your responses need to be verbal.

12 A Okay.

13 Q I'm going to ask you to -- if we were in
14 person, I would be able to see if you were using
15 your phone or a laptop, iPad, anything like that.
16 Because we are not, I am going to instruct you that
17 all answers must be from your memory. And you're
18 not to look at any documents, your phone, any
19 electronics, or anyone else in the room with you
20 for assistance.

21 Do you understand that?

22 A Yes. Okay.

23 Q Where are you physically located right
24 now?

25 A I'm in the lawyer's office in Manhattan.

1 CARLOS E. SIERRA

2 Q And who else is in the room with you?

3 A My lawyer.

4 Q Anyone else?

5 A No.

6 Q Are you under the influence of any
7 alcohol or drugs that would affect your ability to
8 testify here today?

9 A No.

10 Q Have you failed to take any medication,
11 which failure might affect your ability to testify
12 here today?

13 A No.

14 Q Is English your first language?

15 A No.

16 Q And what is your first language?

17 A Spanish.

18 Q But you're comfortable listening to and
19 answering questions in English?

20 A Yes.

21 Q Were you born in the United States?

22 A No.

23 Q How long have you been in the United
24 States?

25 A I would say, 15 years.

1 CARLOS E. SIERRA

2 Q And where did you come from?

3 A Mexico.

4 Q And what is your date of birth? For
5 security purposes we can ask the court reporter to
6 leave a blank, and I'll just take it down
7 personally.

8 A Okay.

9 Q So your date of birth?

10 A XX/XX/XXXX.

11 Q Are you currently employed?

12 A Yes.

13 Q By who are you employed?

14 A You need to know the company name?

15 Q Please.

16 A It's called Bikxs, B-I-K-X-S.

17 MS. ROSEN: I'm sorry, Madam Court
18 Reporter, did you get that?

19 (Requested portion was read back by
20 the court reporter.)

21 Q What type of business or company is
22 Bikxs, Mr. Sierra?

23 A It's a rigging company.

24 Q And how long have you been with them?

25 A It's been a year now.

1 CARLOS E. SIERRA

2 Q And what do you do for them?

3 A I do rigging.

4 Q And what licenses or certifications, if
5 any, do you have for rigging?

6 A Well, the ones that we need. You know,
7 the 32 hours suspended and supported scaffold. And
8 you know, the site safety training cards.

9 Q What is your Social Security number? And
10 again, for security purposes I'll ask the court
11 reporter to only put down the last four digits.

12 A XX-XX-9696.

13 Q Thank you.

14 And where is Bikxs located?

15 A It's in New Jersey.

16 Q Now, in 2018, were you employed?

17 A Yes.

18 Q And by who or what company were you
19 employed at that time?

20 A It was Vector.

21 Q And when did you first become employed by
22 Vector?

23 A It was around June 2018.

24 Q June of?

25 A Like June 28, 2018.

1 CARLOS E. SIERRA

2 Q Of what year?

3 A 2018.

4 Q Of 2018?

5 A Yes.

6 Q And how did you come to be hired by
7 Vector?

8 A My dad and my brother work there.

9 Q Are you familiar with Jesus Sierra?

10 A Yes.

11 Q And who is that?

12 A That's my father.

13 Q And Juan Sierra?

14 A Yes, that's my brother.

15 Q Okay. And they were working for Vector
16 before June of 2018?

17 A Yes.

18 Q Do you know when they started?

19 A No, I don't know when.

20 Q So what did either your father or your
21 brother do or say to get you a job with Vector?

22 A They just -- I needed a job, and they
23 were working there, and so, yeah.

24 Q And what type of job were you hired for?

25 A It was, to be honest, it was both for

1 CARLOS E. SIERRA

2 brick and for rigging.

3 Q And who hired you?

4 A Who hired me was -- I spoke -- well, I
5 was with -- I didn't speak directly to someone to
6 get hired. They just told me if I needed a job, so
7 I went. And then, you know, yeah.

8 Q So where did you first go? Where did you
9 first report?

10 A It was a job in Brooklyn.

11 Q And what type of job or what location in
12 Brooklyn?

13 A I don't recall exact location, but we
14 were doing a house. We were doing pointing on a
15 house.

16 Q Was that a one-family house, or
17 two-family house, or an apartment building, or
18 something else?

19 A I would say two-family house.

20 Q Do you remember what part of Brooklyn it
21 was in?

22 A I don't recall. I don't recall exact
23 location.

24 Q And who told you to go to this location
25 in June of 2018?

1 CARLOS E. SIERRA

2 A When I first started, my dad. My dad,
3 he's the one that, you know, told me that that's
4 where they needed to work.

5 Q And how long were you at this location in
6 Brooklyn?

7 A I would say two weeks. I would say about
8 two weeks.

9 Q And you did pointing the entire time?

10 A Yeah, and we did some rigging, too. You
11 know, we had to install the scaffold in ordering to
12 do the pointing.

13 Q Did you ever come to meet anyone at
14 Vector, aside from your father?

15 A Did I ever come to meet? Yes. I met
16 Bill a few months after in the warehouse. His
17 warehouse, I guess.

18 Q I'm sorry, how much after?

19 A A few months after. I don't recall
20 exactly how many months.

21 Q So you were working for Vector a few
22 months before you ever met Mr. Handakas?

23 A Yes.

24 Q So you said you were only at this
25 Brooklyn house for two weeks. Where did you go

1 CARLOS E. SIERRA

2 after that?

3 A It was a job, another job in Brooklyn.
4 It was like some block that we had to do. It was a
5 couple days only. At the beginning it was side
6 jobs, you know. Small jobs, I guess you call them.

7 Q Did you finish at a particular location
8 before moving onto a different location, or were
9 you going back and forth among addresses?

10 A At the beginning, it was -- we were
11 working in the Brooklyn job pointing. And then
12 like we had to go to do the block, and then we came
13 back to do pointing. So that was just at the
14 beginning with that until -- yeah.

15 Q And you said when you met Bill you were
16 already working for them a few months?

17 A Yes. Correct.

18 Q Did you meet anyone else that you thought
19 was an owner or boss of Vector?

20 A No. No, it was -- no.

21 Q So during that time period, from when you
22 first started to when you met Mr. Handakas, who
23 told you where to go on any given day?

24 A It was more like a group, you know. Like
25 my dad, you know, we were -- like me my brother, my

1 CARLOS E. SIERRA

2 dad, we used to go -- we did that job together. So
3 it was more like, I don't know, I'm guessing he was
4 told where to go. And we were, like, the whole
5 group just pretty much would go.

6 Q Who else was part of the group, other
7 than you, your father, and your brother?

8 A There were two more guys, I think. I'm
9 not sure. I think they only worked a couple weeks
10 with Vector and then they left. But yeah, it was
11 like two more guys, I think.

12 Q Do you remember their names?

13 A No. No. Not really.

14 Q Now during those first few months, did
15 you get paid?

16 A Yes.

17 Q Who paid you?

18 A It was cash. It was an envelope. So I
19 don't know how -- who brought the cash, you know,
20 to the jobsite, but we got envelopes. We got cash.

21 Q And was that weekly, or something else?

22 A It was weekly. In the beginning, it was
23 weekly, yes.

24 Q The beginning of the week?

25 A No. No. It was Friday. It was on

1 CARLOS E. SIERRA

2 Friday. Weekly, yes.

3 Q So who would physically hand you the
4 envelope with cash?

5 A They were given to my dad, and he would
6 give it out to the guys.

7 Q And do you know who gave it to your dad?

8 A No. I -- no.

9 Q Did you ever, even if you didn't know
10 their name or who they were, did you ever see him
11 being handed the envelopes?

12 A No. At the Brooklyn job there was like a
13 foreman, like a supervisor kind of guy that -- at
14 the pointing job, he was, yeah, the supervisor, I
15 would call him, you know. And but, you know, I
16 don't know who gave the cash to my dad, to be
17 honest.

18 Q Do you know who the supervisor was; his
19 name, or can you describe him?

20 A I don't know his name. No, I mean what
21 can I say? He was white.

22 Q Yeah, I was going to say, was he white,
23 was he Hispanic, black?

24 A He was white, yeah.

25 Q Do you know if he was Greek?

1 CARLOS E. SIERRA

2 A Do I know if he was Greek? I don't know.
3 I wouldn't -- I don't know how to...

4 Q Okay. Do you know if he spoke English?

5 A Yeah, he spoke English. He would speak
6 to us. He would show us what we had to do, kind
7 of. It was like a week, I think it was, yeah.

8 Q So this gentleman would tell you what to
9 do, as well?

10 A Yeah. He was -- he was in charge of the
11 blueprints. He used to look at the blueprints and,
12 like, show us. And yeah, yeah, he was supervisor.
13 He was only to supervisor, he wasn't a worker, you
14 know.

15 Q And which jobs did he supervise? Just
16 the Brooklyn house, or others, as well?

17 A The Brooklyn house, that's the only time
18 I saw him.

19 Q So when you moved to the other Brooklyn,
20 the second Brooklyn location, where did the pay
21 come from at that time?

22 A It was also cash. Envelope, you know.

23 Q But you don't know who gave it to your
24 father to give to you?

25 A No. That -- it's a good question. I

1 CARLOS E. SIERRA

2 mean, you know, I don't know who, to be honest.

3 Q Did the envelope have your name on it?

4 A Yeah, yeah, it had my name.

5 Q Handwritten or typewritten?

6 A Handwritten. Handwritten, yeah.

7 Q And how much were you paid? Was it by
8 the hour, or a lump sum, or something else?

9 A It was hourly. By the hour.

10 Q And how much were you getting paid per
11 hour?

12 A At that time it was \$32 an hour.

13 Q Now when you say "at that time," does
14 that mean it changed at some point?

15 A Yeah, at some point it went down to 27.
16 I'm not sure how, to be honest, but yeah, it went
17 down to 27. But a few months after. It was for a
18 while, I think.

19 Q Were you ever paid by check?

20 A Yeah. Later on it was by check that we
21 got paid.

22 Q Okay. What is later on? When is that?

23 A I would say like the beginning of the
24 year. Like, you know, six months I would say we
25 got paid cash. And then like the beginning of

1 CARLOS E. SIERRA

2 2019, we were getting paid by check, personal
3 check.

4 Q And whose checks were those?

5 A At that time we were in Yonkers on a
6 jobsite. So whose check was those, you said?

7 Q Yes.

8 A It was the checks -- the name was North
9 Star. That was the checks, the name of the checks.

10 Q Okay. Now in January, about January 2019
11 when you started receiving checks from North Star,
12 did you ever receive cash again?

13 A It was -- trying to remember. I want to
14 say it was like cash, like half cash, half check.
15 Because it wasn't like the full -- we weren't
16 getting the full amount in checks.

17 Q And when you say "half cash, half check,"
18 is that each week?

19 A Yes.

20 Q And you mentioned a job in Yonkers. What
21 type of work was that? Where was it?

22 A It was in Yonkers, and we were doing
23 brick. It was a building. Big building, you know.
24 There were three different buildings, so it was
25 like a big jobsite. I don't know the exact

1 CARLOS E. SIERRA

2 address. I don't recall the exact address.

3 Q Do you know if it was an office building
4 or a residential apartment building, or something
5 else?

6 A I would say residential building.

7 Q Were you living at the same address that
8 you gave earlier today, back in 2018 and 2019?

9 A Yes.

10 Q How would you get to the different job
11 sites?

12 A We would drive. We would drive to, yeah,
13 to Yonkers.

14 Q Okay. You have a car?

15 A No, it was my dad's car. My brother's
16 car. You know, we took turns.

17 Q So the three of you would travel to the
18 job sites together?

19 A Yeah.

20 Q Anyone else come with you?

21 A It was -- during some time we used to
22 pick up a couple guys. Like one guy, he used to
23 live like around our house, and we used to take
24 him, yeah.

25 Q Who was that?

1 CARLOS E. SIERRA

2 A I don't recall his name. I don't know.

3 Q How close or far from the address that
4 you live at do your father and brother live?

5 A We live in the same house.

6 Q You're altogether. Okay.

7 A Yeah.

8 Q So did you have a time that you were
9 supposed to be at the projects by?

10 A Yeah, we start at 7:00 in the morning.

11 Q So what time would you leave Queens?

12 A I would say 5:30.

13 Q And did you make any stops along the way
14 for coffee, breakfast, cigarettes, anything like
15 that?

16 A No. No.

17 Q And if you left at 5:30 you got to the
18 Brooklyn site by 7:00?

19 A Yonkers. This one was Yonkers.

20 Q No, I'm sorry. I'm going back to the
21 beginning now, to Brooklyn.

22 A Okay. So, no. Well, I was talking about
23 the Yonkers, you know, we used to pickup a guy. In
24 Brooklyn we used to just drive, you know, only us.

25 Q Okay.

1 CARLOS E. SIERRA

2 A Yeah.

3 Q And what time would you leave to go to
4 the Brooklyn site?

5 A 6:00. I would say 6:00.

6 Q And then you got to the site about 7:00?

7 A No, we got there like 6:45, 6:40.

8 Q And when would you start work?

9 A 7:00. We started work at 7:00.

10 Q And what time did you finish each day?

11 A In Brooklyn job, it was 3:30. It was
12 just eight hours.

13 Q And did you get a break in the mornings?

14 A It was lunch break, and probably coffee
15 break, like, you know.

16 Q How long was your lunch break?

17 A Thirty minutes lunch break.

18 Q And how long was the coffee break?

19 A Fifteen minutes.

20 Q Okay. And was the coffee break in the
21 morning, or in the afternoon?

22 A In the morning.

23 Q And did you bring coffee, or a snack, or
24 was there a deli, or food truck nearby?

25 A We used to bring, you know, just water

1 CARLOS E. SIERRA

2 and coffee or something.

3 Q And did you bring lunch, as well?

4 A Lunch, we used to go buy at a deli.

5 Q Was there any variation from that, when
6 you worked on the first Brooklyn house, in terms of
7 those hours?

8 A No. No. No.

9 Q And that was for two weeks, you said,
10 correct?

11 A About two weeks. I don't recall exact
12 time, you know. Timeframe.

13 Q And was that Monday through Friday, or
14 something else?

15 A It was Monday to Friday, yeah.

16 Q When you were on that first house in
17 Brooklyn, did you ever work Saturdays or Sundays?

18 A No. Not that I recall, no.

19 Q Did you ever work evenings?

20 A No. On the Brooklyn job, no.

21 Q Now what about the second Brooklyn job?

22 A It was -- no. No evening. Only regular
23 hours.

24 Q No Saturdays or Sundays?

25 A No.

1 CARLOS E. SIERRA

2 Q And was it also 7:00 to 3:30?

3 A Yes.

4 Q Do you remember what the next job you
5 went to was?

6 A Brooklyn. It has to be Yonkers. That
7 was the next job.

8 Q So from June of 2018 to January of 2019
9 you were at those two Brooklyn locations?

10 A No. No. It wasn't that long. It was --
11 the Brooklyn and the other one was just a couple of
12 weeks.

13 Q Okay. So do you remember where else you
14 were before Yonkers?

15 A No. I think it was only those three jobs
16 that I worked at.

17 Q Two homes in Brooklyn, and the Yonkers --

18 A Yeah.

19 Q -- apartment building?

20 A Yes.

21 Q Now tell me about the first time you met
22 Bill. Where was this, and -- where and when was
23 this, I should say?

24 A It was in Yon -- no, it wasn't Yonkers.
25 It was in Long Island. The warehouse was on Long

1 CARLOS E. SIERRA

2 Island, yes. And we met -- it was his warehouse.
3 I don't know how you want to call it. Warehouse,
4 yard, office. And we went -- one day actually it
5 was just one day we just went to move equipment
6 around. You know, fix equipment, I guess. Yeah.

7 Q Okay. And you were moving equipment
8 around at the yard or warehouse?

9 A Yes. Correct.

10 Q And he was there, or someone introduced
11 you, or what happened?

12 A He was there, yes. In his office he was
13 there. He was telling us what to move around, and
14 yeah, yeah.

15 Q And what did -- aside from telling you
16 what to move around, did he say anything else to
17 you?

18 A No. It was just pretty much, you know,
19 what to do and, yeah.

20 Q Did he talk to you about either of the
21 Brooklyn projects?

22 A Did he talk? No. Not that I recall.

23 Q Did he talk to you about any other
24 projects, either Yonkers, or anything else coming
25 up?

1 CARLOS E. SIERRA

2 A No. No, we didn't talk much, you know.
3 We just saw him. He just told us what to do. He
4 was in his office, and -- yeah.

5 Q And how long were you there for?

6 A I don't recall exact hours. Probably
7 full days work, maybe.

8 Q I'm sorry?

9 A Probably a full day of work. It was
10 just, you know, I think it was raining or
11 something, that's why we, you know, we went.

12 Q Was that the only time you ever met Bill?

13 A Meet? Well meet, yes. But also in
14 Yonkers jobsite he used to, you know, stop by and
15 we used to see him, you know, walking around and
16 stuff. You know, speaking to the foreman. But
17 personally met, yes, it was the only time.

18 Q And who was the foreman at Yonkers?

19 A Yonkers, it was this guy. I forgot his
20 name. What was his name? I can't remember his
21 name. It's going to come back to me, but...
22 Sergio. Sergio.

23 Q Did you ever work Saturdays or Sunday in
24 Yonkers?

25 A Yes. A couple times Saturdays, yes.

1 CARLOS E. SIERRA

2 Q How many times is a couple?

3 A I don't recall exactly how many times.

4 It was just a couple times we needed to finish some
5 stuff, or they wanted us to work Saturday.

6 Q Did you ever work nights in Yonkers?

7 A There was some. There was some days.

8 You know, something happened. There was an
9 accident or something whatever, and we were
10 supposed to be -- he told us to come in and, you
11 know, secure some scaffolds that were hanging and
12 stuff. So yeah, that was a time that we worked the
13 nights.

14 Q Who is the "he" that told you to -- that
15 you had to work nights?

16 A At that time it was Bill told my dad, you
17 know, because it was always the same thing. You
18 know, Bill would text. And we used to -- it was at
19 that time that we went to work nights.

20 Q How do you know Bill told your dad; were
21 you there, did you hear it, or something else?

22 A No, I wasn't there.

23 Q Your dad told you that Bill said to work
24 nights?

25 A I don't recall the specific, you know,

1 CARLOS E. SIERRA

2 how it happened. I just know that we had to go and
3 they were expecting us to get there, so everyone
4 knew we were coming, you know.

5 Q And were you paid for the Saturdays?

6 A Yeah, for regular time, yeah. Obviously
7 toward the end, that's the main problem, but yeah,
8 we got paid.

9 Q What was the main problem towards the
10 end?

11 A Well, we didn't get paid the last two
12 weeks. That's the whole, what we're fighting
13 about.

14 Q So the last two weeks that you worked you
15 were not paid at all?

16 A Right.

17 Q Do you know who signed the checks that
18 you received from North Star?

19 A No, I don't know who.

20 Q Aside from the names you've given me
21 already, do you recall anyone that you worked with
22 at any of the project?

23 A No. No.

24 Q Now, did you work for a full year, from
25 June of 2018 to June of 2019?

1 CARLOS E. SIERRA

2 A Yeah. Yeah.

3 Q Do you know the name Sal or Salvador
4 Almonte?

5 A Do I know the name Salvador? No. He --
6 no.

7 Q You don't know who that is?

8 A Not really, no.

9 Q Well, not really is --

10 A Well, no. I don't know who Salvador is.

11 Q You don't know who that is?

12 A No, we never...

13 Q Your claim in this lawsuit is for two
14 weeks of pay?

15 A Yes.

16 Q And what location or locations were you
17 working at for those two weeks?

18 A Yonkers.

19 Q It was Yonkers. Okay. And how much were
20 you making at Yonkers?

21 A I don't recall exactly when it was, but,
22 you know, it was from 32 to 27. But towards the
23 end it was, you know, 27.

24 Q Did you ever supervise anyone at any of
25 the project sites?

1 CARLOS E. SIERRA

2 A Supervise, no.

3 Q Did you ever tell other employees what to
4 do or where to go?

5 A No. We were -- we used to rig, you know,
6 so we knew what to do. And we had helpers that
7 helped around. But yeah, Sergio was the one that
8 told us what to do, you know, the foreman.

9 Q Did you ever have to sign in at any of
10 the projects, like a logbook or a calendar?

11 A Yeah, the beginning of the shift we used
12 to, like, make sure, see who's at work. Raise your
13 hand if you're here, you know, in the mornings.

14 Q But did you ever sign anything written?

15 A We know Sergio used to take the, you
16 know, to see who is, you know, at work.

17 Q And that was at the Yonkers project?

18 A Yes.

19 Q Did you keep any notes, a calendar,
20 anything that showed where you were on a given day?
21 What location you were working at on a given day?

22 A Since it was weekly, not really.
23 Because, you know, at the end of the week, you
24 know, you know how many hours you worked and stuff.
25 So, yeah.

1 CARLOS E. SIERRA

2 Q Aside from that one day when you went to
3 the warehouse yard and met Bill, did you ever go to
4 any office on any other occasion?

5 A No.

6 Q I'm going to state a couple different
7 addresses and ask you if you're familiar with them.
8 A project known as Garveys?

9 A Garveys, no.

10 Q 597 Henry Street?

11 A I don't know.

12 Q 277 Mott Street?

13 A I don't recall, off the top of my head.

14 Q 540 Fulton Street?

15 A No.

16 Q Did you ever work in Queens or Long
17 Island, aside from the one day at the warehouse?

18 A Actually not that I -- you're talking
19 about Queens. There was one time that we went to a
20 job in Queens, and LIC, Long Island City. It was
21 for a rigging job, too. You know, we got sent
22 there with another guy, another foreman. Yeah. I
23 don't recall exactly when it was. But, yeah.

24 Q And how long were you there?

25 A I want to say two days.

1 CARLOS E. SIERRA

2 Q Now I'm going to ask you a series of
3 names, and I want to know if you know them, and if
4 you know them, how you know them.

5 Alejandro Manuel Zapata Osorio?

6 A Sounds familiar.

7 Q Arturo Del Razo? And forgive my
8 non-Hispanic pronunciation.

9 A That guy sounds familiar. Probably the
10 guys that we worked with, I think.

11 Q I'm sorry?

12 A Yes. Probably we worked with them, I
13 think. I'm not, you know, I'm not sure exactly.

14 Q Braulio Rolando Cashabamba?

15 A Yes.

16 Q Do you know him?

17 A Yes, probably one of the guys we worked
18 with, you know.

19 Q Well, probably, but -- I don't want
20 probably, I just want to know whether you know them
21 or not.

22 A Well, I don't recall. I'm not really
23 good with names. So I really don't recall. You
24 know. You can tell me a name, I can forget it in a
25 few seconds because I'm not good with names.

1 CARLOS E. SIERRA

2 Q Okay. Do you ever use a second last name
3 of Rodriguez?

4 A Sierra Rodriguez. I have two last names,
5 yeah.

6 Q And what about a Wilder Rodriguez, is
7 that a relative of yours?

8 A No.

9 MS. ROSEN: We're going to take five
10 minutes and I'll be back.

11 (A brief recess was taken.)

12 MR. ROSEN: Mr. Sierra, if I could
13 ask you to just make sure you're speaking
14 into the microphone. I know the court
15 reporter has great hearing, but I don't,
16 and I've been missing a couple of things
17 here and there, so...

18 MS. ERRINGTON: I can turn the
19 sensitivity up, if you'd like.

20 MS. ROSEN: Okay, yeah. If you
21 think it's mechanical, that would be
22 great.

23 MS. ERRINGTON: There should be a
24 way for me to do that. Hold on one
25 second.

1 CARLOS E. SIERRA

2 (A brief pause was taken.)

3 Q Mr. Sierra, are you ready to continue for
4 a little bit?

5 A Yes.

6 Q Okay. Ramon Rosales Galvez?

7 A What about him?

8 Q Do you know that name?

9 A No.

10 Q Do you have any of the files before you,
11 any of the court documents?

12 A Do I have? No.

13 Q In front of you. No? Okay.

14 What about Jose Abaddo?

15 A I don't recall the name.

16 Q Jose Visnay?

17 A No.

18 Q David Cuevas?

19 A Cuevas sounds familiar.

20 Q But you don't know which job or -- or do
21 you, you know, which job or who he is.

22 A No, I don't.

23 Q Mr. Sierra, did you ever fill out any
24 forms before you began work?

25 A No.

1 CARLOS E. SIERRA

2 Q When you started working for Brikxs, is
3 it Brikxs?

4 A Bikxs.

5 Q Bikxs. Did you fill out a W-4 then?

6 A Yeah.

7 Q But you didn't fill out one when you
8 started working for Vector?

9 A No.

10 Q Do you know what an I9 is?

11 A No.

12 Q Do you know if you filled out anything
13 else when you started working for Bikxs, other than
14 a W-4?

15 A W-4, and you know, other information.
16 You know, my name and everything.

17 Q Did you ever fill out like an information
18 form for Vector?

19 A No.

20 Q Do you know if your dad did?

21 A I don't know.

22 Q Do you know if your brother did?

23 A I don't know.

24 Q Do you know that your dad and your
25 brother's names appear on Vector's records, but

1 CARLOS E. SIERRA

2 yours doesn't?

3 A Did I know that, you said?

4 Q Yes.

5 A No, I didn't know.

6 Q When you weren't paid those last two
7 weeks, did you tell anyone?

8 A Yes. Sergio, my foreman.

9 Q Anybody else?

10 A No. He's in charge.

11 Q And what did Sergio say to you, or do?

12 A He, you know, he's a foreman. So I guess
13 he would speak to the boss and, you know, tell them
14 that everyone is missing money, weeks. Checks, you
15 know.

16 Q Did you hear him do that?

17 A Yes. There was one time that we heard
18 him, you know, talking on the phone.

19 Q Okay. And do you know who he was talking
20 to?

21 A Yeah. Yes.

22 Q Who was he talking to?

23 A He was talking to Bill.

24 Q How do you know that?

25 A Well, at that time he showed us, like he

1 CARLOS E. SIERRA

2 showed his phone, you know, and the contact was
3 called Bill.

4 Q So Sergio was on the phone at a jobsite,
5 all the men were around him, and he went and showed
6 everyone his cell phone so that the contact --
7 everyone could see the contact name?

8 A Yeah. So, yeah, yes.

9 Q Okay. And that was at what location?

10 A Yonkers.

11 Q Did anybody take a picture of Sergio's
12 cell phone showing Bill Vector, that that's who he
13 was talking to at the time?

14 A I don't know.

15 Q Was anyone able to hear Bill's voice or
16 the voice on the other end?

17 A Yeah.

18 Q You heard it?

19 A It was on speaker, yeah. It was on
20 speaker, so yeah.

21 Q And you were able to identify it, the
22 voice?

23 A I mean, yeah.

24 Q Do you know if your Social Security
25 number is for identification, or working purposes,

1 CARLOS E. SIERRA

2 or something else?

3 A Yes, it's for working.

4 Q Did you ever receive a 1099 from Vector
5 or North Star?

6 A No.

7 Q Did you ever receive a W-2 from Vector or
8 North Star?

9 A No.

10 Q Do you know if your father ever received
11 a 1099 or W-2 from Vector?

12 A I don't know.

13 Q What about your brother?

14 A I don't know if he did.

15 Q And what about from North Star?

16 A I don't know.

17 Q Do you know an Angel Quijada?

18 A I don't recall. I don't know.

19 Q Did you ever go to New York State
20 Department of Labor to say you weren't getting
21 paid?

22 A No.

23 Q Did you ever report it to anyone other
24 than Sergio?

25 A Yes.

1 CARLOS E. SIERRA

2 Q Who else?

3 A Well, at the Yonkers job we went to the
4 office, the field office to, you know, just to,
5 yeah, to tell them.

6 Q And was the field office in the building,
7 or was it a trailer outside, or something else?

8 A It was in the building.

9 Q And you said Yonkers had multiple
10 buildings. Do you remember what building it was
11 in?

12 A No, I don't.

13 Q Was it an apartment, or office within one
14 of the buildings?

15 A Yes.

16 Q And do you remember what floor it was on?

17 A Second floor. They usually go on the
18 second floor.

19 Q And did the door identify it as the field
20 office verses someone's apartment?

21 A Yes.

22 Q And what did it say on the door?

23 A Field office.

24 Q Did it say Vector?

25 A No.

1 CARLOS E. SIERRA

2 Q Did it say North Star?

3 A No.

4 Q Did it say anything other than field
5 office?

6 A It was a field office for the jobsite for
7 the big development, you know. I'm not sure what
8 the name was.

9 Q So not just for the workers you were
10 working with, it was other trades, as well?

11 A Right.

12 Q Okay. So who did you report it to in the
13 field office?

14 A Probably the supervisor.

15 Q Well, I mean not probably. You're saying
16 you went in to report it. Who did you speak to?

17 A To the supervisors. I don't know their
18 names or anything. It was just the guys in the
19 office, you know.

20 Q No, I don't know, that's why I'm asking.

21 A Yeah, well...

22 Q Did they have names or shirts, you know,
23 with a company name on it, or plaques on their desk
24 saying who they were or who they worked for?

25 A Yes, they had a safety vest.

1 CARLOS E. SIERRA

2 Q Okay. Did the safety vest say what
3 company they were with?

4 A Yes.

5 Q Okay. What did it say?

6 A I don't recall the name of the company.

7 Q And was the name on the front of the
8 vest, like over the breast, or was it on the back,
9 or something else?

10 A On the front.

11 Q How many supervisors were in vests that
12 you reported it to?

13 A Two. There were two. Two guys.

14 Q But you don't remember the company and
15 you don't know their names?

16 A No, I don't.

17 Q Did they ask you to write anything?

18 A No.

19 Q Did they say anything in response to
20 saying you hadn't been paid?

21 A Yes.

22 Q What did they say?

23 A They said they would try to find out why.

24 Q Okay. And did they ever get back to you?

25 A No.

1 CARLOS E. SIERRA

2 Q Now, you were paid on Friday or Mondays
3 at the Yonkers site?

4 A Fridays.

5 Q So when did you first complain, and it
6 was only the last two weeks that you were there,
7 correct?

8 A Yes.

9 Q That you weren't paid. So when did you
10 first complain to Serigo; that Friday when you
11 left, or the following Monday, or something else?

12 A I would say the Friday that we didn't get
13 paid.

14 Q Normally when would you get paid, on a
15 Friday, like at what time?

16 A The end of the day.

17 Q And when did you report it to the
18 supervisors in the field office?

19 A Don't recall exact date.

20 Q And then you came back Monday and worked
21 another Monday to Friday?

22 A Right.

23 Q And what happened when you didn't get
24 paid on that Friday?

25 A That's when we left.

1 CARLOS E. SIERRA

2 Q Okay. And when you say "we," who are you
3 referring to?

4 A Everyone. You know, all the guys.

5 Q How many were in your crew, at that
6 point?

7 A I don't recall the exact number.

8 Q Your dad didn't go back?

9 A No.

10 Q And your brother didn't go back?

11 A No.

12 Q And but you don't know anybody else's
13 name?

14 A No.

15 Q And you don't know how many. Was it 5,
16 10, 20, 100?

17 A I don't recall the exact number, no.

18 Q Forgive me if I asked this already, but
19 did you ever see -- at the Yonkers project, did you
20 ever see who handed Sergio the envelopes to pass
21 out?

22 A No.

23 Q It was Sergio that passed it out to you,
24 though?

25 A Yes.

1 CARLOS E. SIERRA

2 Q Did he come to the jobsite with envelopes
3 on Friday mornings, do you know, or did he get them
4 during the day?

5 A He would get them during the day.

6 Q Would he leave to get them, or would
7 someone come to give them to him?

8 A I don't know.

9 Q Did you keep copies of your paychecks
10 from North Star?

11 A No.

12 Q Did you cash your checks from North Star,
13 or deposit them, or something else?

14 A I cashed them, some of them, and some of
15 them I deposit them.

16 (Continued on the following page to
17 include the Jurat.)

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1 CARLOS E. SIERRA

2 MS. ROSEN: I'm going to call for
3 the production of proof of the ones that
4 you deposited. Either bank account
5 statements, redacted of course to just
6 show the North Star deposits.

7 And with that, I have nothing else.
8 Thank you for your time, Mr. Sierra.

9 THE WITNESS: Thank you.

10 (Time Noted: 4:40 p.m.)

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Carlos E. Sierra

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18 Subscribed and sworn to before me
this day , 2021.

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(NOTARY PUBLIC)

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I N D E X

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WITNESS:

EXAMINATION BY:

PAGES:

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Carlos E. Sierra

Ms. Rosen

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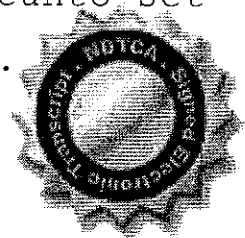
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C E R T I F I C A T E

I, ANN MARIE GOVERNALI, a shorthand reporter and Notary Public within and for the State of New York, do hereby certify: That the witness whose testimony is hereinbefore set forth, was duly sworn by me, and that such testimony is a true record of the testimony given by such witness.

I further certify that I am not related to any of the parties by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of September, 2021.



Ann Marie Governali

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